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MAR 23 2009

## MARTIN &amp; FERRARO, LLP

ATTORNEYS AT LAW

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LOS ANGELES, CALIFORNIA 90272

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MAR 31 2009

Facsimile  
(310) 286-2795Telephone  
(310) 286-9800~~OFFICE OF PETITIONS~~  
FACSIMILE TRANSMITTAL

## TO:

Name: Mail Stop AMENDMENT  
Group Art Unit 3628  
Examiner Akiba K. Robinson Boyce

Firm: U.S. Patent &amp; Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 09/195,105

Paul A. Francisco et al.

Filed: November 18, 1998

POINT OF SALE TAX REPORTING AND  
AUTOMATIC COLLECTION SYSTEM WITH  
TAX REGISTER

Attorney Docket No. 146.0003-00000

Customer No. 22882

Confirmation No.: 3966

## FROM:

Name: Amedeo F. Ferraro, Esq.

Phone No.: 310-286-9800

No. of Pages (including this): 29

Date: March 23, 2009

Confirmation Copy to Follow: NO

## Message:

## CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Transmittal Form (in duplicate; \$2,879.00 total amount to cover the \$1,110 three-month extension fee, \$364 additional claims fee, \$180 IDS fee, and \$1,225 status change deficiency fee is to be charged to Deposit Account No. 50-1068), Amendment, Change of Status from Small Entity to Large Entity Under 37 C.F.R. § 1.28, and Information Disclosure Statement Under 37 C.F.R. § 1.97(c) with Form PTO/SB/08 and 1 foreign patent document with English-language abstract are being facsimile transmitted to the U.S. Patent and Trademark Office on March 23, 2009.

  
Sandra L. Blackmon

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PATENT  
Attorney Docket No. 146.0003-00000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

In re Application of )  
Paul A. Francisco et al. )  
Serial No.: 09/195,105 )  
Filed: November 18, 1998 )  
For: POINT OF TAX REPORTING AND )  
AUTOMATIC COLLECTION )  
SYSTEM WITH TAX REGISTER )

Confirmation No.: 3966

MAR 31 2009

Group Art Unit: 3628

OFFICE OF PETITIONS

Examiner: Akiba K. Robinson Boyce

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MAR 23 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**CHANGE OF STATUS FROM SMALL ENTITY TO**  
**LARGE ENTITY UNDER 37 C.F.R. § 1.28**

In the above-identified application, small entity status was established in good faith, although through error the Office was not notified of a loss of entitlement to small entity status. The present submission serves to correct this error. The itemization of the total amount of the deficiency is provided below:

<u>Fees Paid (Small Entity)</u>	<u>Date Paid</u>	<u>Large Entity Fee</u>	<u>Difference</u>
\$1,225.00	September 4, 2008	\$2,450.00	\$1,225.00
<b>Total Amount of Deficiency = \$1,225.00</b>			

Accordingly, please update the Office records to indicate the loss of small entity status and charge the total amount of the deficiency (\$1,225.00) to Deposit Account No. 50-1068.

Please charge any additional fees required to enter this paper to our Deposit Account No. 50-1068.

Respectfully submitted,  
MARTIN & FERRARO, LLP

03/27/2009 DALLIN 00000062 501068 09195105

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1225.00 DA

Dated: March 23, 2009By: 

Amedeo F. Ferraro

Registration No. 37,129

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: (330) 877-0700  
Facsimile: (330) 877-2030

FORM PTO-1083

2009 MAR 23 PM 4:20

Attorney Docket No.: 146.0003-00000

Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Paul A. Francisco et al.

Serial No: 09/195,105

Filed: November 18, 1998

For: POINT OF TAX REPORTING AND  
AUTOMATIC COLLECTION SYSTEM WITH  
TAX REGISTER

Confirmation No.: 3966

Art Unit: 3628

Examiner: Akiba K. Robinson Boyce

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**CENTRAL FAX CENTER****MAR 23 2009****RECEIVED****MAR 31 2009****OFFICE OF PETITIONS**Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in reply to the Office Action dated September 23, 2008 in the above-identified application.

- ☐ No additional fee is required.
- ☒ Applicant hereby requests a three-month extension of time to respond to the above office action.
- ☒ A Change of Status from Small Entity to Large Entity Under 37 C.F.R. § 1.28 is enclosed.
- ☒ An Information Disclosure Statement Under 37 C.F.R. § 1.97(c) and Form PTO/SB/08 with 1 foreign patent document are enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	27	-	20 **	7	LG=\$52 SM=\$26	\$ 364.00
INDEPENDENT CLAIMS FEE	3	-	3 ***	0	LG=\$220 SM=\$110	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$390 SMALL ENTITY FEE = \$195	\$ 0
TOTAL						\$ 364.00

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ The total amount of \$2,879.00 to cover the \$1,110 three-month extension fee, \$364 additional claims fee, \$180 IDS fee, and \$1,225 status change deficiency fee is to be charged to Deposit Account No. 50-1068.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1068. A copy of this sheet is enclosed.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN &amp; FERRARO, LLP

Date: March 23, 2009

By:

Walter F. Ferraro

Registration No. 37,129

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: (330) 877-0700  
Facsimile: (330) 877-2030

Transmittal of Amendment (5).DOC

FORM PTO-1083

Attorney Docket No.: 146.0003-00000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Paul A. Francisco et al.

Serial No: 09/195,105

Filed: November 18, 1998

For: POINT OF TAX REPORTING AND  
AUTOMATIC COLLECTION SYSTEM WITH  
TAX REGISTER

Confirmation No.: 3966

Art Unit: 3628

Examiner: Akiba K. Robinson Boyce

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P.O. Box 1450  
Alexandria, VA 22313-1450

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- ☒ A Change of Status from Small Entity to Large Entity Under 37 C.F.R. § 1.28 is enclosed.
- ☒ An Information Disclosure Statement Under 37 C.F.R. § 1.97(c) and Form PTO/SB/08 with 1 foreign patent document are enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	27	-	20	7	LG=\$52 SM=\$26	\$ 364.00
INDEPENDENT CLAIMS FEE	3	-	3	0	LG=\$220 SM=\$110	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$380 SMALL ENTITY FEE = \$185	\$ 0
					<b>TOTAL</b>	<b>\$ 384.00</b>

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ The total amount of \$2,879.00 to cover the \$1,110 three-month extension fee, \$364 additional claims fee, \$180 IDS fee, and \$1,225 status change deficiency fee is to be charged to Deposit Account No. 50-1068.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1068. A copy of this sheet is enclosed.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN &amp; FERRARO, LLP

Date: March 23, 2009

By: 

Amedeo F. Ferraro

Registration No. 37,129

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Telephone: (330) 877-0700  
Facsimile: (330) 877-2030

Transmittal of Amendment (5).DOC

PATENT  
Attorney Docket No. 146.0003-00000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Confirmation No.: 3966
Paul A. Francisco et al.	)	
Serial No.: 09/195,105	)	Group Art Unit: 3628
Filed: November 18, 1998	)	
For: POINT OF SALE TAX REPORTING	)	Examiner: Akiba K. Robinson Boyce
AND AUTOMATIC COLLECTION	)	
SYSTEM WITH TAX REGISTER	)	
	)	

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), the fee of \$180.00 as specified by Section 1.17(p) is to be charged to Deposit Account No. 50-1068.

A copy of JP 61-117659 A (and an English language abstract translation thereof) is enclosed with this submission. Copies of the rest of the listed non-U.S. patent documents were previously cited by the Examiner in prior application Serial no. 08/438,890, filed May 10, 1995, now U.S. Patent No. 5,799,283, upon which Applicant relies for the benefits provided in 35 U.S.C. § 120.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited document does not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1068.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: March 23, 2009

By: \_\_\_\_\_

  
Arnedeo F. Ferraro  
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